

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application No.	10/693,080
Filing Date	October 24, 2003
First Named Inventor	Thomas E. KOCHY
Examiner Name	Wallenhorst, Maureen
Group Art Unit	1743
Attorney Docket No.	A-70424/AJT (463032-31)
Total Number of Pages in This Submission	5

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08A (1 pg.); copy of PCT International Search Report (PCT/US03/34118) dated May 7, 2004; and self-addressed stamped Postcard.
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement (2 pgs.)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, No. of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Aldo J. Test, Esq., Reg. No. 18,048 DORSEY & WHITNEY LLP 4 Embarcadero Center, Suite 3400 San Francisco, CA 94111 Telephone: 650-494-8700	Customer Number 32940
Signature		
Date	June 1, 2004	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with Sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 6/1/04			
Typed or printed name	Lori Cox		
Signature		Date	June 1, 2004



**PATENT**  
Attorney Docket No. A-70424/AJT  
Dorsey File No. 463032-31

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of:

KOCHY et al.

U.S. Serial No.: 10/693,080

Filing Date: October 24, 2003

For: *Automatic Analysis Apparatus*

Examiner: Wallenhorst, Maureen

Art Unit: 1743

CERTIFICATE OF MAILING

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Signed: \_\_\_\_\_

Lori Cox

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/08A. In accordance with 1273 Off. Gaz. Pat. Off. 1, 8/5/2003, no copies of U.S. patents and U.S. published applications are enclosed.

Further, in accordance with the provision of 37 C.F.R. §§ 1.97(c) and 1.97(e)(1), the undersigned certifies that references A1, A2, A3, A4, and A5 listed on the enclosed form PTO/SB/08A were cited in the International Search Report dated May 7, 2004, for a counterpart PCT application PCT/US03/34118. A copy of the International Search Report for the counterpart PCT application is enclosed herewith.

None of the foregoing references is believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited

U.S. Serial No.: 10/693,080  
Filing Date: October 24, 2003

references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

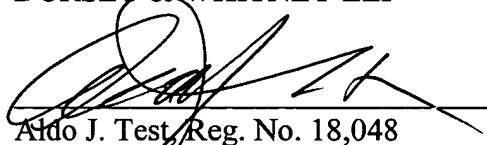
While no fee is believed to be due, if this belief is in error the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 463032-31 [A-70424/AJT]).

Please direct any calls in connection with this application to the undersigned at  
(650) 494-8700.

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: June 1, 2004

BY:



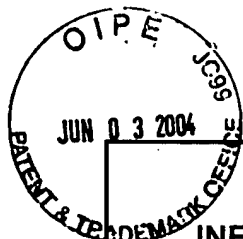
Aldo J. Test, Reg. No. 18,048

Dorsey & Whitney LLP  
Intellectual Property Department  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (650) 494-8700  
Facsimile: (650) 494-8771

Customer Number: **32940**

Attachments:

Return receipt postcard  
Transmittal (1 pg.)  
Form PTO/SB/08A (1 pg.)  
PCT International Search Report from PCT/US03/34118 dated May 7, 2004 (1 pg.)



<b>Substitute for form 1449A/PTO (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/693,080
				Filing Date	October 24, 2003
				First Named Inventor	Thomas E. KOCHY
				Art Unit	1743
				Examiner Name	Wallenhorst, Maureen
Sheet	1	of	1	Attorney Docket Number	A-70424/AJT (463032-31)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite <sup>1</sup> No.	U.S. Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	3,780,992	12-25-1973	Nishi et al.	
	A2	4,711,851	12-08-1987	McNamara et al.	
	A3	6,027,691	02-22-2000	Watts et al.	
	A4	6,132,685	10-17-2000	Kercso et al.	
	A5	2002/0028434 A1	03-07-2002	Goix et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite <sup>1</sup> No.	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.  
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.